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**BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES**

Application Number: 09/251,480
Filing Date: February 17, 1999
Appellant(s): AMJADI, KAMRAN

Bradford C. Blaise (Reg No.32,694)
For Appellant

EXAMINER'S ANSWER

This is in response to the appeal brief filed 11/14/2007 appealing from the Office action mailed 11/14/2006.

(1) Real Party in Interest

A statement identifying by name the real party in interest is contained in the brief.

(2) Related Appeals and Interferences

The examiner is not aware of any related appeals, interferences, or judicial proceedings which will directly affect or be directly affected by or have a bearing on the Board's decision in the pending appeal.

(3) Status of Claims

The statement of the status of claims contained in the brief is correct.

(4) Status of Amendments After Final

The appellant's statement of the status of amendments after final rejection contained in the brief is correct.

(5) Summary of Claimed Subject Matter

The summary of claimed subject matter contained in the brief is correct.

(6) Grounds of Rejection to be Reviewed on Appeal

The appellant's statement of the grounds of rejection to be reviewed on appeal is correct.

(7) Claims Appendix

The copy of the appealed claims contained in the Appendix to the brief is correct.

(8) Evidence Relied Upon

5,949,875	WALKER et al	09-1999
5,970,469	SCROGGIE et al	10-1999

6,055,573

GARDENSWARTZ et al

04-2000

(9) Grounds of Rejection

The following ground(s) of rejection are applicable to the appealed claims:

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-36, 39-41, 44-50 and 52-59 are rejected under 35 U.S.C. 103(a) as being unpatentable over Scroggie et al., U.S. Pat. no.5,970,469 (hereafter Scroggie) in view of Walker et al., US Pat. No.5,949,875 (hereafter Walker).

As to claim 1, Scroggie discloses a computer method performed for providing access to incentives via a computer network, the computer network comprising at least one incentive host server (310 fig.13) and at least two network servers (300, 312 fig.13) for providing users with access to incentives host server (310 fig.13), comprising:

receiving, at a network server, an access request from a client device (user 308 fig.13) associated with the user and transmitting a first identifier (customer ID) corresponding to the access request to the incentive to a host server (see abstract, figs.1, 13, col.9 line 42 to col.10 line 4 and col.11 line 41 to col.12 line 42);

determining at the incentive host server available incentives using at least the first identifier with an incentive server database (306 fig.13) and transmitting information (token) regarding the determined available incentives to the client device (see col.11 line 41 to col.12 line 42 and col.13 lines 10-46).

Scroggie does not specifically disclose and a network server identifier (NID) to identify available incentives associated with the user/client. However, Walker discloses using a network server identifier (NID) to identify available incentives associated with the user/client (using server ID as a code to identifying users, see abstract, fig.5, col.5 lines 7-43 and col.6 line 21 to col.7 line 56). It would have been obvious to one of the ordinary skill in the art at the time the invention was made to implement Walker's teachings into the computer system of Scroggie to monitor access information because it would have tracked the codes necessary to manage the information purchase process in a communication network (see Walker's col.6 lines 21-65).

As to claim 2, Scroggie discloses receiving a request for a document stored at least in part on the network server (see col.11 line 41 to col.12 line 42).

As to claim 3, Scroggie discloses determining whether an indication exists that the user subscribes to receive information of at least one of the subscriber identification with available incentives (see col.6 lines 1-64 and col.12 lines 7-51). Scroggie does not specifically disclose and a network server identifier (NID) to identify available incentives associated with the user/client. However, Walker discloses using a network server

identifier (NID) to identify available incentives associated with the user/client (using server ID as a code to identifying users, see abstract, fig.5, col.5 lines 7-43 and col.6 line 21 to col.7 line 56). It would have been obvious to one of the ordinary skill in the art at the time the invention was made to implement Walker's teachings into the computer system of Scroggie to monitor access information because it would have tracked the codes necessary to manage the information purchase process in a communication network (see Walker's col.6 lines 21-65).

As to claim 4, Scroggie discloses determining whether an indication exists that the user subscribes to receive information of at least one of the subscriber identification associated with available incentives, includes: transmitting a subscriber request to the client device and receiving a response from the client device including the first identifier (see col.6 lines 1-64 and col.12 lines 7-51). Scroggie does not specifically disclose and a network server identifier (NID) to identify available incentives associated with the user/client. However, Walker discloses using a network server identifier (NID) to identify available incentives associated with the user/client (using server ID as a code to identifying users, see abstract, fig.5, col.5 lines 7-43 and col.6 line 21 to col.7 line 56). It would have been obvious to one of the ordinary skill in the art at the time the invention was made to implement Walker's teachings into the computer system of Scroggie to monitor access information because it would have tracked the codes necessary to manage the information purchase process in a communication network (see Walker's col.6 lines 21-65).

As to claim 5, Scroggie discloses transmitting an identifier corresponding to the client device to the incentive host server (see fig.13, see col.6 lines 1-64 and col.12 lines 7-51). Scroggie does not specifically disclose and a network server identifier (NID) to identify available incentives associated with the user/client. However, Walker discloses using a network server identifier (NID) to identify available incentives associated with the user/client (using server ID as a code to identifying users, see abstract, fig.5, col.5 lines 7-43 and col.6 line 21 to col.7 line 56). It would have been obvious to one of the ordinary skill in the art at the time the invention was made to implement Walker's teachings into the computer system of Scroggie to monitor access information because it would have tracked the codes necessary to manage the information purchase process in a communication network (see Walker's col.6 lines 21-65).

As to claim 6, Scroggie discloses receiving incentive information reflecting a selection of incentives based on at least one of the subscriber identification and the identifier corresponding to the client device to the incentive host server (see fig.13, see col.6 lines 1-64 and col.12 lines 7-51). Scroggie does not specifically disclose and a network server identifier (NID) to identify available incentives associated with the user/client. However, Walker discloses using a network server identifier (NID) to identify available incentives associated with the user/client (using server ID as a code to identifying users, see abstract, fig.5, col.5 lines 7-43 and col.6 line 21 to col.7 line 56). It would have been obvious to one of the ordinary skill in the art at the time the invention was made to

implement Walker's teachings into the computer system of Scroggie to monitor access information because it would have tracked the codes necessary to manage the information purchase process in a communication network (see Walker's col.6 lines 21-65).

As to claim 7, Scroggie discloses transmitting a first identifier corresponding to the device associated with the user (see fig.13, see col.6 lines 1-64 and col.12 lines 7-51).

As to claim 8, Scroggie discloses a computer-implemented method for accessing incentives in a network, comprising:

transmitting an access request to access one of the network servers (300, 312 FIG.13) in the network (see abstract, figs,1, 13, col.11 line 41 to col.12 line 42);

transmitting a first identifier corresponding to the access request to the incentive host sever (310 FIG.13) (i.e., using purchase incentive data to process users' purchases) and determining available incentives using at least the first identifier, wherein an incentive host server (300 fig.13) identifies available incentives in an incentive server database (306 fig.13) (see col.11 line 41 to col.12 line 42 and col.13 lines 10-46).

Scroggie does not specifically disclose and a network server identifier (NID) to identify available incentives associated with the user/client. However, Walker discloses using a network server identifier (NID) to identify available incentives associated with the user/client (using server ID as a code to identifying users, see abstract, fig.5, col.5 lines

7-43 and col.6 line 21 to col.7 line 56). It would have been obvious to one of the ordinary skill in the art at the time the invention was made to implement Walker's teachings into the computer system of Scroggie to monitor access information because it would have tracked the codes necessary to manage the information purchase process in a communication network (see Walker's col.6 lines 21-65).

Scroggie discloses one network server but does not disclose multiple (at least two) network servers. The limitation "multiple" is disclosed by *In re Harza* (legal precedent for duplication), 274 F.2d 669, 124 USPQ 378, 380 (CCPA 1960) which states "It is well settled that the mere duplication of parts has no patentable significance unless a new and unexpected result is produced". See MPEP 2144.04(VI)(B). In this claim, duplicating the part does not produce any new result and does not produce any unexpected result.

As to claim 9, Scroggie discloses providing a browser enabling a user to formulate and transmit the access request (see fig.13, see col.6 lines 1-64 and col.12 lines 7-51).

As to claim 10, Scroggie discloses receiving selected incentive information reflecting a server identification associated with the server (see fig.13, see col.6 lines 1-64 and col.12 lines 7-51). Scroggie does not specifically disclose and a network server identifier (NID) to identify available incentives associated with the user/client. However, Walker discloses using a network server identifier (NID) to identify available incentives

associated with the user/client (using server ID as a code to identifying users, see abstract, fig.5, col.5 lines 7-43 and col.6 line 21 to col.7 line 56). It would have been obvious to one of the ordinary skill in the art at the time the invention was made to implement Walker's teachings into the computer system of Scroggie to monitor access information because it would have tracked the codes necessary to manage the information purchase process in a communication network (see Walker's col.6 lines 21-65).

Claims 11-20 are rejected for the same reasons set forth in claims 1-10 respectively.

As to claim 21, Scroggie discloses a system for distributing information in a network, comprising:

a host server (300 fig.13) having at least one of an incentive distribution module and an account creation module accessible to a plurality of users, a network servers (310 fig.13) coupled to and selectively accessible to the host server for providing identification including a first identifier to the host server (see abstract, figs,1, 13, col.11 line 41 to col.12 line 42);

at least one client machine (302 fig.13) coupled to and selectively accessible to at least one of the network servers for accessing network documents, wherein when at least one user (308 fig.13) causes the client machine to access one of the network servers, the accessed network server communicates with the host server to obtain data corresponding to the subscriber for presentation to the at least one user, and wherein

the at least one client machine is adapted to present from the host for at least one user (i.e., using purchase incentive data to process users' purchases, see col.11 line 41 to col.12 line 42 and col.13 lines 10-46).

Scroggie does not specifically disclose and a network server identifier (NID) to identify available incentives associated with the user/client. However, Walker discloses using a network server identifier (NID) to identify available incentives associated with the user/client (using server ID as a code to identifying users, see abstract, fig.5, col.5 lines 7-43 and col.6 line 21 to col.7 line 56). It would have been obvious to one of the ordinary skill in the art at the time the invention was made to implement Walker's teachings into the computer system of Scroggie to monitor access information because it would have tracked the codes necessary to manage the information purchase process in a communication network (see Walker's col.6 lines 21-65).

Scroggie discloses one network server but does not disclose multiple (at least two) network servers. The limitation "multiple" is disclosed by In re Harza (legal precedent for duplication), 274 F.2d 669, 124 USPQ 378, 380 (CCPA 1960) which states "It is well settled that the mere duplication of parts has no patentable significance unless a new and unexpected result is produced". See MPEP 2144.04(VI)(B). In this claim, duplicating the part does not produce any new result and does not produce any unexpected result.

As to claims 22-34, Scroggie further discloses using coupons, set of coupons, discounts and awards (see col.10 lines 5-59 and col.12 lines 7-51).

As to claims 35 and 36, Scroggie further discloses transmitting to the client request and registration form for an account (using log-in page), receiving information regarding an account, determining an identifier and transmitting the first identifier to the client device (see col.6 line 35 to col.7 line 52).

Claims 39-41 are rejected for the same reasons set forth in claims 34-36 respectively.

Claims 44-47 are rejected for the same reasons set forth in claims 39-42 respectively.

As to claim 48, Scroggie further discloses one or more database for storing information related to coupons (see fig.10, col.9 line 42 to col.10 line 39).

Claims 49-50 are rejected for the same reasons set forth in claims 40-41 respectively.

Claims 52 and 53 are rejected for the same reasons set forth in claims 34 and 39 respectively.

As to claim 54, Scroggie discloses an incentive host server (310 fig.13) for use in an incentive network, the incentive network including the incentive host server including at least two incentive network servers (300 and 312 fig.13), comprising:

- an incentive database (306 fig.13) for storing incentives;

- a registration module (using a log-in page and household Registration to process user's data information, see col.9 lines 15-40) for receiving registration information from

a client device (302 fig.13), and for transmitting a Unique ID (client ID) to the client device that submitted the registration information for storage on the client device to enable the ID to be subsequently used in connection with requesting incentives from any of the incentive network servers within the incentive network (see col.6 lines 35-64 and col.11 lines 42-65);

an incentive determination module for:

receiving a request for incentives from any of the incentive network servers and receiving a UID associated with the request (see fig.14, col.11 line 66 to col.12 line 42).

determining currently available incentives based on the UID and a UID of the client device from which request was initiated and transmitting information about the incentives determined to be currently available (see col.12 line 43 to col.13 line 35). Scroggie discloses one network server but does not disclose multiple (at least two) network servers. The limitation "multiple" is disclosed by In re Harza (legal precedent for duplication), 274 F.2d 669, 124 USPQ 378, 380 (CCPA 1960) which states "It is well settled that the mere duplication of parts has no patentable significance unless a new and unexpected result is produced". See MPEP 2144.04(VI)(B). In this claim, duplicating the part does not produce any new result and does not produce any unexpected result.

Scroggie does not specifically disclose and a network server identifier (NID) to identify available incentives associated with the user/client. However, Walker discloses using a network server identifier (NID) to identify available incentives associated with the user/client (using server ID as a code to identifying users, see abstract, fig.5, col.5 lines

7-43 and col.6 line 21 to col.7 line 56). It would have been obvious to one of the ordinary skill in the art at the time the invention was made to implement Walker's teachings into the computer system of Scroggie to monitor access information because it would have tracked the codes necessary to manage the information purchase process in a communication network (see Walker's col.6 lines 21-65).

As to claim 55, Scroggie further discloses that the incentive determination module for transmitting information about the incentives determined to be currently available to a client device having the UID associated with the received request (see col.12 line 43 to col.13 line 35).

As to claim 56, Scroggie further discloses the incentive determination module for transmitting information about the incentives determined to be currently available to the incentive network server associated with the received request (see col.8 line 53 to col.9 line 40 and col.12 line 43 to col.13 line 35). Scroggie does not specifically disclose and a network server identifier (NID) to identify available incentives associated with the user/client. However, Walker discloses using a network server identifier (NID) to identify available incentives associated with the user/client (using server ID as a code to identifying users, see abstract, fig.5, col.5 lines 7-43 and col.6 line 21 to col.7 line 56). It would have been obvious to one of the ordinary skill in the art at the time the invention was made to implement Walker's teachings into the computer system of Scroggie to monitor access information because it would have tracked the codes necessary to

manage the information purchase process in a communication network (see Walker's col.6 lines 21-65).

As to claim 57, Scroggie further discloses an incentive network, comprising:

an incentive host server (3100 fig.13) and at least one incentive network server (300 fig.13), wherein an incentive network server comprises a network interface for receiving from a client device (302 fig.13) a request for access to incentives, and for communicating information about the request to the incentive host server (see abstract, fig.13, col.11 lines 42-65); Scroggie discloses one network server but does not disclose multiple (at least two) network servers. The limitation "multiple" is disclosed by In re Harza (legal precedent for duplication), 274 F.2d 669, 124 USPQ 378, 380 (CCPA 1960) which states "It is well settled that the mere duplication of parts has no patentable significance unless a new and unexpected result is produced". See MPEP 2144.04(VI)(B). In this claim, duplicating the part does not produce any new result and does not produce any unexpected result,

and

the incentive host server comprising:

- i) an incentive database (306 fig.13) for storing incentives;
- ii) a registration module (using a log-in page and household Registration to process user's data information, see col.9 lines 15-40) for receiving registration information from a client device (302 fig.13), and for transmitting a Unique ID (client ID)

to the client device that submitted the registration information for storage on the client device to enable the ID to be subsequently used in connection with requesting incentives from any of the incentive network servers within the incentive network (see col.6 lines 35-64 and col.11 lines 42-65);

iii) a network interface for receiving from any of the incentive network servers a request for access to at least some of the stored incentives, and receiving a request for incentives from any of the incentive network server from which the request is received (see fig.14, col.11 line 66 to col.12 line 42).

iv) an incentive determination module for determining currently available incentives based on the UID of the client device from which request was initiated and means for transmitting information about the incentives determined to be currently available to the UID (see col.12 line 43 to col.13 line 35).

Scroggie does not specifically disclose a network server identifier (NID) to identify available incentives associated with the user/client. However, Walker discloses using a network server identifier (NID) to identify available incentives associated with the user/client (using server ID as a code to identifying users, see abstract, fig.5, col.5 lines 7-43 and col.6 line 21 to col.7 line 56). It would have been obvious to one of the ordinary skill in the art at the time the invention was made to implement Walker's teachings into the computer system of Scroggie to monitor access information because it would have tracked the codes necessary to manage the information purchase process in a communication network (see Walker's col.6 lines 21-65).

Claims 58 and 59 are rejected for the same reasons set forth in claims 55 and 56 respectively.

3. Claims 37, 38, 42, 43 and 51 are rejected under 35 U.S.C. 103(a) as being unpatentable over Scroggie and Walker in view of Gardenswartz et al. US pat.

No.6,055,573.

Scroggie's teachings still applied as in item 2 above. Neither Scroggie nor Walker does not specifically disclose demographic information regarding a user and the requested document is stored on the network server. However, Gardenswartz further discloses demographic information regarding a user and the requested document is stored on the network server (see fig.1, col.5 lines 33 to col.6 line 53, col.7 line 12 to col.8 line 32 and col.13 line 51 to col.14 line 48). It would have obvious to one of the ordinary skill in the art at the time the invention was made to implement Gardenswartz's teachings into the computer system of Scroggie to process data transactions over the Internet because it would have tracked a consumer's online activity and thus delivered appropriate product information to consumers based on purchase history over the Internet.

(10) Response to Argument

- Appellant asserts that the cited references fails to disclose determining available incentives based on a network server identifier (NID).

Examiner respectfully disagrees. The combination of Scroggie and Walker discloses the Appellant's invention. For example, Scroggie discloses a method of providing incentives to users using a host server (providing available incentives, coupon offers, rebate offers to customers based on their IDs through at remote locations such as in their homes, see abstract, figs. 1, 13, col. 9 line 42 to col. 10 line 4 and col. 11 line 41 to col. 12 line 42). Scroggie does not specifically disclose a network server identifier (NID) to identify available incentives associated with the user/client. However, Walker discloses using a network server identifier (NID) (server ID) to identify available incentives associated with the user/client (using server ID as a code to identifying users in order to provide payment services/purchase information to users over a data network, see abstract, fig. 5, col. 5 lines 7-43 and col. 6 line 21 to col. 7 line 56). It would have been obvious to one of the ordinary skill in the art at the time the invention was made to implement Walker's teachings into the computer system of Scroggie to monitor access information because it would have tracked the codes necessary to manage the information purchase process in a communication network (see Walker's col. 6 lines 21-65).

- Appellant asserts that the Scroggie reference does not disclose an incentive network server and at least two network servers in claims 1, 8, 11, 18, 21, 54 and 57.

For claims 1, 11 and 18, the recitation "at least two network servers" has not been given patentable weight because the recitation occurs in the preamble. A preamble is

generally not accorded any patentable weight where it merely recites the purpose of a process or the intended use of a structure, and where the body of the claim does not depend on the preamble for completeness but, instead, the process steps or structural limitations are able to stand alone. See In re Hirao, 535 F.2d 67, 190 USPQ 15 (CCPA 1976) and Kropa v. Robie, 187 F.2d 150, 152, 88 USPQ 478, 481 (CCPA 1951).

For claims 8, 21, 54 and 57, Examiner respectfully point out that Scroggie discloses an incentive network server [i.e., an incentive host server (310 fig.13)] and at least a network server (an incentive distribution server 300 fig.13). Scroggie discloses one network server but does not disclose multiple (at least two) network servers. The limitation "multiple" is disclosed by In re Harza (legal precedent for duplication), 274 F.2d 669, 124 USPQ 378, 380 (CCPA 1960) which states "It is well settled that the mere duplication of parts has no patentable significance unless a new and unexpected result is produced". See MPEP 2144.04(VI)(B). In this claim, duplicating the part does not produce any new result and does not produce any unexpected result.

- Appellant asserts that Scroggie does not disclose receiving a request for a document stored at least in part on the network server.

Examiner respectfully point out that Scroggie discloses receiving a request for a document stored at least in part on the network server (users logging on to the server to

select a variety of offers stored on the storage device by manufactures and retailers, see col.11 line 41 to col.12 line 42).

- Appellant asserts that Scroggie does not disclose determining whether an indication exists that the user subscribes to receive information of at least one of the subscriber identification with available incentives.

Examiner respectfully point out that Scroggie discloses determining whether an indication exists that the user subscribes to receive information of at least one of the subscriber identification with available incentives (tracking shopping behaviors of individual customers in order to generate in-store incentives/coupons to the individual customers, see col.6 lines 1-64 and col.12 lines 7-51).

- Appellant asserts that Scroggie does not disclose transmitting an identifier corresponding to the client device to the incentive host server and transmitting a network server identifier corresponding to the network server.

Examiner respectfully point out that the combination of Scroggie and Walker discloses the Appellant's claimed invention. For example, Scroggie discloses transmitting an identifier corresponding to the client device to the incentive host server (see fig.13, see col.6 lines 1-64 and col.12 lines 7-51). Scroggie does not

specifically disclose and a network server identifier (NID) to identify available incentives associated with the user/client. However, Walker discloses using a network server identifier (NID) to identify available incentives associated with the user/client (using server ID as a code to identifying users in order to provide payment services/purchase information to users over a data network, see abstract, fig.5, col.5 lines 7-43 and col.6 line 21 to col.7 line 56). It would have been obvious to one of the ordinary skill in the art at the time the invention was made to implement Walker's teachings into the computer system of Scroggie to monitor access information because it would have tracked the codes necessary to manage the information purchase process in a communication network (see Walker's col.6 lines 21-65).

- Appellant asserts that Scroggie does not disclose receiving incentive information reflecting a selection of incentives based on at least one of the subscriber identification and the identifier corresponding to the client device to the incentive host server.

Examiner respectfully point out that Scroggie discloses receiving incentive information reflecting a selection of incentives based on at least one of the subscriber identification and the identifier corresponding to the client device to the incentive host server (tracking customers' shopping behaviors by using customer identifications in order to provide incentives/coupons to respective

customers, see fig. 13, see col. 6 lines 1-64 and col. 12 lines 7-51). Scroggie does not specifically disclose and a network server identifier (NID) to identify available incentives associated with the user/client. However, Walker discloses using a network server identifier (NID) to identify available incentives associated with the user/client (using server ID as a code to identifying users in order to provide payment services/purchase information to users over a data network, see abstract, fig. 5, col. 5 lines 7-43 and col. 6 line 21 to col. 7 line 56). It would have been obvious to one of the ordinary skill in the art at the time the invention was made to implement Walker's teachings into the computer system of Scroggie to monitor access information because it would have tracked the codes necessary to manage the information purchase process in a communication network (see Walker's col. 6 lines 21-65).

- Appellant asserts that Scroggie does not disclose transmitting a first identifier corresponding to the device associated with the user.

Scroggie discloses transmitting a first identifier corresponding to the device associated with the user (tracking customers' shopping behaviors by using customer identifications in order to provide incentives/coupons to respective customers, see fig. 13, see col. 6 lines 1-64 and col. 12 lines 7-51).

- Appellant asserts that Scroggie does not disclose discloses receiving selected incentive information reflecting a server identification associated with the server using at least a first identifier and the NID.

Examiner respectfully point out that the combination of the cited references discloses the Appellant's claimed invention. For example, Scroggie discloses receiving selected incentive information reflecting a first identification associated with the server (tracking customers' shopping behaviors by using customer identifications in order to provide incentives/coupons to respective customers, see fig. 13, see col.6 lines 1-64 and col.12 lines 7-51). Scroggie does not specifically disclose and a network server identifier (NID) to identify available incentives associated with the user/client. However, Walker discloses using a network server identifier (NID) to identify available incentives associated with the user/client (using server ID as a code to identifying users in order to provide payment services/purchase information to users over a data network, see abstract, fig. 5, col.5 lines 7-43 and col.6 line 21 to col.7 line 56). It would have been obvious to one of the ordinary skill in the art at the time the invention was made to implement Walker's teachings into the computer system of Scroggie to monitor access information because it would have tracked the codes necessary to manage the information purchase process in a communication network (see Walker's col.6 lines 21-65).

- Appellant asserts that Scroggie does not disclose the incentive determination module for transmitting information about the incentives determined to be currently available to the incentive network server associated with the received request.

Examiner respectfully point out that Scroggie discloses the incentive determination module for transmitting information about the incentives determined to be currently available to the incentive network server associated with the received request (tracking customers' shopping behaviors by using customer identifications in order to provide incentives/coupons to respective customers, see col.8 line 53 to col.9 line 40 and col.12 line 43 to col.13 line 35).

- Appellant asserts that cited references do not disclose the information from the incentives determined to be currently available to this UID and NID combination is transmitted to a client device having the UID associated with the client device from which the request is initiated.

Examiner respectfully point out that Scroggie discloses the information from the incentives determined to be currently available to this UID and NID combination is transmitted to a client device having the UID associated with the client device from which the request is initiated (tracking customers' shopping behaviors by using customer identifications in order to provide incentives/coupons to respective

customers, see col.8 line 53 to col.9 line 40 and col.12 line 43 to col.13 line 35). .

Scroggie does not specifically disclose and a network server identifier (NID) to identify available incentives associated with the user/client. However, Walker discloses using a network server identifier (NID) to identify available incentives associated with the user/client (using server ID as a code to identifying users in order to provide payment services/purchase information to users over a data network, see abstract, fig.5, col.5 lines 7-43 and col.6 line 21 to col.7 line 56). It would have been obvious to one of the ordinary skill in the art at the time the invention was made to implement Walker's teachings into the computer system of Scroggie to monitor access information because it would have tracked the codes necessary to manage the information purchase process in a communication network (see Walker's col.6 lines 21-65).

- Appellant asserts that the cited references do not disclose the information from the incentives determined to be currently available to this UID and NID combination is transmitted to an incentive server having the NID associated the received request.

Examiner respectfully point out that Scroggie discloses the information from the incentives determined to be currently available to this UID (tracking customers' shopping behaviors by using customer identifications in order to provide incentives/coupons to respective customers, see col.8 line 53 to col.9 line 40 and col.12

line 43 to col.13 line 35). Scroggie does not specifically disclose and a network server identifier (NID) to identify available incentives associated with the user/client. However, Walker discloses using a network server identifier (NID) to identify available incentives associated with the user/client (using server ID as a code to identifying users in order to provide payment services/purchase information to users over a data network, see abstract, fig.5, col.5 lines 7-43 and col.6 line 21 to col.7 line 56). It would have been obvious to one of the ordinary skill in the art at the time the invention was made to implement Walker's teachings into the computer system of Scroggie to monitor access information because it would have tracked the codes necessary to manage the information purchase process in a communication network (see Walker's col.6 lines 21-65).

- Appellant further asserts that the Walker reference is non-analogous art.

In response to applicant's argument that the Walker reference is nonanalogous art, it has been held that a prior art reference must either be in the field of applicant's endeavor or, if not, then be reasonably pertinent to the particular problem with which the applicant was concerned, in order to be relied upon as a basis for rejection of the claimed invention. See In re Oetiker, 977 F.2d 1443, 24 USPQ2d 1443 (Fed. Cir. 1992). In this case, the Walker reference discloses a method for access billings or information, goods or services made available for a user in the computer network.

(11) Related Proceeding(s) Appendix

No decision rendered by a court or the Board is identified by the examiner in the Related Appeals and Interferences section of this examiner's answer.

For the above reasons, it is believed that the rejections should be sustained.

Respectfully submitted,

Conferees:

/Khanh Dinh/

Primary Examiner, Art Unit 2151

/Bunjob Jaroenchonwanit/

Supervisory Patent Examiner, Art Unit 2152

(for John Follansbee)